

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**DANIEL ANDRES DURAN**  
# 02297580,

**Plaintiff,**

**v.**

**EL PASO POLICE DEPARTMENT, et al.,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**NO. EP-19-CV-335-PRM-MAT**

**ORDER**

Before the Court is Defendant Officer Virgil Mena’s “Motion for Extension of Time to File a Rule 12 Motion in Response to Plaintiff’s Complaint.” (ECF No. 29). In this motion, Defendant Mena asserts that he has been unable to meet with his attorney due to the impact of the novel Coronavirus pandemic. *Id.* Defendant states that he will meet with his attorney on Saturday, March 28, 2020, and requests fourteen days thereafter within which to file a motion under Rule 12 of the Federal Rules of Civil Procedure. *Id.*

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time . . . with or without motion or notice if the court acts, or if the request is made, before the original time or its extension expires[.]” Considering the impact of the novel Coronavirus pandemic globally and in El Paso, and in particular noting the “Local Emergency Directive” issued by the mayor of El Paso on March 24, 2020,<sup>1</sup> directing El Paso residents to stay at home except in certain specified circumstances, the Court finds good cause to extend the deadline for Defendant Mena to file an answer or a Rule

---

<sup>1</sup> Available at <http://epstrong.org/documents/covid19/Stay%20Home,%20Work%20Safe%20Order.pdf?1585251131> (last visited Mar. 26, 2020).

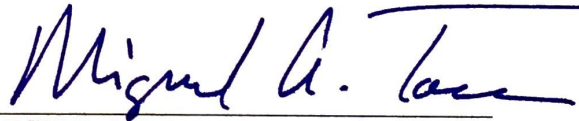
12 motion.

The Court, *sua sponte*, considers the other deadlines currently set in this case, including but not limited to deadlines for service of process and deadlines to file an answer. For the same reasons discussed above, the Court finds it appropriate to extend these deadlines. Accordingly,

**IT IS ORDERED** that Defendant Mena's "Motion for Extension of Time to File a Rule 12 Motion in Response to Plaintiff's Complaint" (ECF No. 29) is **GRANTED**.

**IT IS FURTHER ORDERED** that **ALL** deadlines in this case are **VACATED** until **May 1, 2020**. On May 1, 2020, the time period for all deadlines, including but not limited to deadlines for service of process and deadlines for filing answers and Rule 12 motions, will begin anew with May 1, 2020, being day one of the relevant time period.<sup>2</sup>

**SIGNED** and **ENTERED** this 27<sup>th</sup> day of March, 2020.

A handwritten signature in blue ink, reading "Miguel A. Torres", is written over a horizontal line.

MIGUEL A. TORRES  
UNITED STATES MAGISTRATE JUDGE

---

<sup>2</sup> For example, if a Defendant in this case has been served prior to May 1, 2020, then, pursuant to this Order, April 30, 2020, will be considered the triggering date and May 1, 2020, will be the first day of the period for purposes of computing time pursuant to Rule 6 of the Federal Rules of Civil Procedure.